

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814



February 18, 1994

ALL-COUNTY LETTER NO. 94-15

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: FEDERAL AID TO FAMILIES WITH DEPENDENT CHILDREN-FOSTER CARE (AFDC-FC) PROGRAM AND THE AFDC-FAMILY GROUP/UNEMPLOYED (FG/U) LINKAGE REQUIREMENT

The purpose of this letter is to outline the requirements for documenting linkage to the AFDC-FG/U Program for purposes of the AFDC-FC Program.

AFDC-FG/U LINKAGE REQUIREMENT

To be eligible under the federal Aid to Families With Dependent Children-Foster Care (AFDC-FC) Program, a child must be linked to the AFDC-Family Group/Unemployed (FG/U) Program during the month in which the petition to remove a child from his or her parent's or relative's home is filed in juvenile court. To meet the linkage requirements, one of the following three conditions must exist during the month of petition:

- 1) The child was living in the home of the parent or relative from whom removed and was eligible for, and received federal AFDC-FG/U, or
- 2) The child was living in the home of the parent or relative from whom removed and would have been eligible for federal AFDC-FG/U in the month of petition had application been made, or
- 3) The child was no longer living in the home of the parent or relative from whom removed, but had lived in the home of the parent or relative from whom removed within any of the six months prior to the month in which the petition was filed, and would have been eligible for federal AFDC-FG/U in the month of petition based on that parent's or relative's home had they been living together and had application been made.

## GENERAL DOCUMENTATION REQUIREMENTS

There are two categories of cases for purposes of federal linkage documentation: 1) those in which the child is in receipt of aid in the month of petition, and 2) those in which the child would have been eligible had application been made. Each has different documentation requirements.

### I. Child in Receipt of Aid During the Month of Petition

This category includes children who were receiving AFDC-FG/U in the month of petition. It is also defined as including children whose parent was in receipt of SSI/SSP and no application for AFDC had been made.

Verification Process: Verification of linkage is established utilizing agency records which document AFDC-FG/U or SSI/SSP case number identification.

Documentation Requirements: Counties must record the AFDC-FG/U or SSI/SSP case number on the FC 3. For audit purposes, it is recommended that hard copy evidence of AFDC or SSI/SSP eligibility be kept in the foster care eligibility file.

### II. Child Would Have Been Eligible for Federal AFDC-FG/U in the Month of Petition Had Application Been Made

This category includes children without an open AFDC-FG/U case in the month of petition.

Establishing AFDC-FG/U linkage when the child would have been eligible had application been made will require documentation in the services and eligibility files that a preponderance of evidence supports that determination. There can be no substantiated evidence that would definitively indicate ineligibility to the AFDC-FG/U program. This method of establishing linkage is referred to as a Preponderance of Evidence Model (POEM).

More specifically, establishing linkage in such cases necessitates all of the following:

#### A. Deprivation

The child must have been deprived of parental support and care in accordance with State Eligibility and Assistance Standards Section 45-202.1. Deprivation is required to be eligible for AFDC-FG/U benefits.

AND

B. Supportive Case File

The services case file and its component parts, including court reports, case narratives, reports from other agencies, forms, etc., must support an initial assumption of linkage. For example, if the parent or parents are unemployed or destitute, further investigation and third party verification is appropriate. If the case record indicates that the parent or parents earn a good income or otherwise fail to satisfy AFDC eligibility requirements, there is no basis for AFDC linkage.

If AFDC linkage is to be based on a preponderance of evidence, relevant portions of the services or probation case file must be referenced and should be copied and placed in the eligibility file.

AND

C. Third Party Verification

If the record indicates that the child probably would have been eligible for AFDC-FG/U benefits had application been made, third party verification will be required. The third party documentation must demonstrate that a preponderance of evidence supports the linkage determination and that no substantiated evidence exists that would definitively indicate ineligibility to the AFDC-FG/U program. The third party documentation needed for linkage determinations will vary dependent upon the information available to the county and is discussed below in more detail.

AND

D. Eligibility Determination

The eligibility worker must then document his or her eligibility determination based on POEM and authorize aid payments. The FC 3, or other appropriate form as determined by the California Department of Social Services (CDSS) must be used for documentation purposes. All requisite eligibility forms, including the SAWS 1 and the JA 2 or FC 2, must be maintained in the eligibility file even if POEM is used.

THIRD PARTY VERIFICATION

The type of third party documentation required to support a linkage determination will vary dependent upon whether or not the county has access to information regarding the name and social security number of the parent.

I. Name and Social Security Number of Parent Accessible

If the county has access to the name and social security number of the parent, the county must access the Child Adult Information

Network/Income and Eligibility Verification System (CAIN/IEVS) to provide appropriate documentation. An accurate birthdate will permit the county to obtain Social Security data, but this is not required for linkage purposes. The federal Department of Health and Human Services and the CDSS have agreed to accept a CAIN/IEVS printout in the eligibility file as satisfactorily meeting the income and property linkage verification requirements provided the printout supports the case record or shows no substantiated evidence that would definitively indicate ineligibility to the AFDC-FG/U program.

If the child had been living with just one parent, the county need only obtain a CAIN/IEVS printout for that parent. If both parents were living in the home, the county should attempt to obtain a CAIN/IEVS printout for both parents, but must secure a printout for the primary wage earner.

Because the CAIN/IEVS data may not coincide with the actual month of removal in all cases, counties may re-request CAIN/IEVS printouts for up to nine months after the child enters placement if the first CAIN/IEVS printout does not support a linkage determination. If any legitimate CAIN/IEVS printout supports an assumption of linkage during the first nine months of placement, a formal determination to that effect may be made. This period of opportunity for CAIN/IEVS linkage may not be extended beyond the ninth month of placement.

In the event a county identifies any obvious and major discrepancies between the services case file and the eligibility file, including the CAIN/IEVS printout, the county must investigate and reconcile the differences before a linkage determination can be made. For example, if the CAIN/IEVS printout demonstrates limited or no income but the services case file indicates significant income, this difference would need to be resolved before the CAIN/IEVS printout could be utilized to support linkage.

If the parent's social security number is not immediately available, the county is encouraged to pursue that information if possible and appropriate. Possible sources include but are not limited to MEDS data, school records, DMV records, county assessor records, police records, public health records and district attorney/child support records.

It is recognized that income from certain types of employment may not be reflected on IEVS. This includes income of federal employees, self employed persons, individuals employed out-of-state, and employees of companies not covered with unemployment insurance benefits. When a county learns or has reason to believe that a parent or parents have income from such sources, it must seek third party documentation to establish linkage as described below under "Social Security Number of Parent Not Available to County."

## II. Social Security Number of Parent Not Available to County

If the county does not have access to the parent's social security number, CAIN/IEVS will not be available and the county must obtain third party documentation from at least two independent sources in order to support the services case file data and reports. These sources may include other service agencies, school records, DMV records, county assessor records, police records, public health records, district attorney/child support records, charitable organizations, housing authority/landlord records, utility companies and written statements from relatives or others with knowledge relevant to the case and circumstances of the child. Only one of the third party verifications may be a written statement by someone with knowledge relevant to the case.

In the event a parent's social security number is discovered or becomes available while securing third party documentation, the CAIN/IEVS verification process must be used.

The CAIN/IEVS verification process must also be used if a parent's social security number becomes available at any time during the first nine months of placement. If the CAIN/IEVS printout fails to support a POEM determination, linkage may not be established and county claims must be adjusted if federal dollars were claimed. The CAIN/IEVS verification process need not be used if a social security number becomes available after the first nine months of placement. Counties may establish AFDC linkage retroactively at any time in accordance with guidelines contained in All County Letter 91-74.

The third party documentation must either directly support the linkage determination, as in a report from the County Mental Health Department that verifies the parents were destitute, or, at a minimum, confirm that no substantiated evidence exists that would definitively indicate ineligibility to the AFDC-FG/U program. For example, a check with DMV and/or the county assessor would support a finding of potential AFDC eligibility if no vehicle or property records were found. In all cases, the third party documentation must be clearly identified and maintained in the eligibility file.

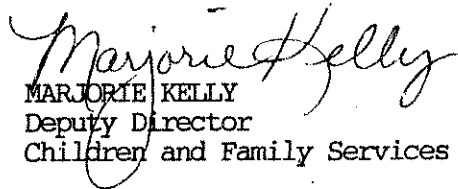
### COUNTY USE OF CAIN/IEVS

The CDSS Fraud Bureau has confirmed that counties may use CAIN/IEVS to determine the eligibility of children for federal Title IV-E AFDC-FC benefits. The social security number of the parent or relative can be used without notifying the parent or relative if their income or property must be known to determine a child's eligibility to the federal AFDC-FC Program.

EFFECTIVE DATE OF POEM REQUIREMENTS

The effective date of the POEM requirements outlined in this All County Letter is February 1, 1994. The Department recognizes that many counties have already initiated and utilized variations of the POEM to document linkage to the AFDC-FG/U Program in prior cases. Counties will not be required to utilize the POEM requirements outlined in this All County Letter for these cases. However, counties may, during an audit, be required to demonstrate that any previous county procedures utilized did actually establish the required linkage determination. All cases for which linkage is established after February 1, 1994 must utilize the POEM requirements outlined in this letter.

If you should have any questions regarding this or other concerns in the administration of the foster care program, please contact your foster care program consultant at (916) 445-0813. Any questions regarding CAIN/IEVS should be directed to your county IEVS Coordinator.

  
MARJORIE KELLY  
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Children and Family Services

c: CWDA